

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-24 are currently pending. Claims 1, 2, 4-10, 13-18, and 21-24 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, the Examiner indicated that the Information Disclosure Statements filed on December 29, 2003; September 15, 2003; and February 9, 2004 fail to comply with the provisions of 37 C.F.R. §§1.97 and 1.98 and have not been considered; and Claims 1-24 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2003/0212759 A1 to Wu (hereinafter “the ‘759 application”).

Applicants wish to thank the Examiner for the interview granted Applicants’ representative on May 24, 2004, at which time a proposed amendment to Claim 1 was discussed. At the conclusion of the interview, the Examiner indicated that the proposed amendment appears to overcome the outstanding rejection of Claim 1, pending the Examiner’s further consideration of the claims upon formal submission of a response to the outstanding Office Action.

Regarding the Information Disclosure Statements, Applicants respectfully submit that 37 C.F.R. §§1.97 and 1.98 do not require the use of USPTO Form 1449. Rather, those rules merely require that the references in an IDS be listed.¹ Accordingly, since each of the related cases submitted December 29, 2003; September 15, 2003; and February 9, 2004, were listed, Applicants submit that the filed Information Disclosure Statements comply with 37

¹ See 37 C.F.R. § 1.98(a), which states that “[a]ny information disclosure statement filed under § 1.97 shall include: (1) [a] list of all patents, applications, or other information submitted for consideration by the Office...”

C.F.R. §§1.97 and 1.98. Accordingly, Applicants respectfully request that the information submitted therein should be considered by the Examiner.

Applicants respectfully submit that the rejection of Claim 1 (and dependent Claims 2-8) is rendered moot by the present amendment to Claim 1.

Amended Claim 1 is directed to an object-oriented method of collecting information regarding a plurality of target applications in an application unit, comprising: (1) receiving, from a first one of the plurality of target applications through an interface, *by a monitoring device in the application unit*, a request to send first information regarding monitored usage of the first one of the plurality of target applications to a first predetermined destination through a first communication protocol using a first data format; and (2) receiving, from a second one of the plurality of target applications through the interface, by the monitoring device, a request to send second information regarding monitored usage of the second one of the plurality of target applications to a second predetermined destination through a second communication protocol using a second data format. Further, Claim 1 recites that the first communication protocol is different from the second communication protocol.

The '759 application is directed to a method and system for providing advertising messages to users of handheld computing devices. As shown in Figure 3, the '759 application discloses a handheld computer 20 having a browser 60 communicating over a network 52 with a website server 50 and an advertisement server 54. Further, the '759 patent discloses that when a request for content by the handheld computer is received by the website server 50, an advertisement is associated with the request for content. The requested content is sent to the handheld computer for display on the screen of the handheld computer. However, Applicants respectfully submit that the '759 application fails to disclose receiving, *by a monitored device in the application unit, a request to send first information regarding monitored use of the first one of the plurality of target applications*, as recited in Claim 1.

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Accordingly, Applicants respectfully submit that Claim 1 (and dependent Claims 2-8) patentably define over the '759 application.

Claims 9 and 17 recite limitations analogous to the limitations recited in Claim 1.

Moreover, Claims 9 and 17 have been amended in a manner analogous to the amendment to Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that the rejections of Claim 9 (and dependent Claims 10-16) and Claim 17 (and dependent Claims 18-24) are rendered moot by the present amendment to Claims 9 and 17.

Thus, it is respectfully submitted that independent Claims 1, 9, and 17 (and all associated dependent claims) patentably define over the '759 application.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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